

UNIVERSITY COLLEGE LONDON  
FACULTY OF THE BUILT ENVIRONMENT  
BARTLETT SCHOOL OF PLANNING

# How and to what extent do English Partnerships control the quality of provision of Public Space in Public- Private-Partnerships?

By Christopher Ward

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## **List of Abbreviations**

<b>AEG</b>	Anschutz Entertainment Group
<b>BUD</b>	British Urban Developments
<b>EP</b>	English Partnerships
<b>GC</b>	Greenwich Council
<b>GDH</b>	Greenwich District Hospital
<b>GP</b>	Greenwich Peninsula
<b>GPRL</b>	Greenwich Peninsula Regeneration Limited
<b>GWRA</b>	Greenwich Waterfront Regeneration Agency
<b>HEG</b>	Heart of East Greenwich
<b>LBG</b>	London Borough of Greenwich
<b>LDF</b>	Local Development Framework
<b>MDL</b>	Meridian Delta Limited
<b>POS</b>	Public Open Space
<b>PPP</b>	Public-Private-Partnership
<b>QED</b>	Quintain Estates and Development Plc
<b>RDA</b>	Regional Development Agency
<b>SPD</b>	Supplementary Planning Document
<b>SPG</b>	Supplementary Planning Guidance
<b>UDP</b>	Unitary Development Plan

## **Abstract**

The report looks at the relationship between the production of quality in public space and the arrangement of partners in Public-Private-Partnerships involving the Government's national regeneration agency, English Partnership. The paper argues that the particular arrangement of English Partnerships' projects enables the agency to demand high quality public space through development mechanisms, levers and controls that they have structured into their deals with the private sector. From a financial perspective, the paper concludes that EP's ability to control and influence the quality of public space varies site-by-site and is determined by the level of investment in public space a scheme can support given the value that the development is able to generate based on the requirements and restrictions of satisfying local planning policy and the local property market conditions in terms of capital values and rents for the site, the influence of the level of funding English Partnerships is able to invest into the site to subsidise the costs of the scheme and the attitude of the private partner towards investing in public space. However, the quality of public space is not solely determined by financial investment but is influenced by other factors such as the quality of design and community engagement in the development process, which are more reliant upon ~~an~~ political commitment towards public consultation, strong leadership and the championing of good design in the development process. English Partnerships ultimately use a variety of controls, either positive in nature such as leadership or political commitment or negative in nature such as imposed standards or regulation, that are embedded in the organisation of the PPP to promote and control the quality of public space.

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## 1.0 INTRODUCTION

This essay focuses on the production of public space in the development process. More specifically, it is concerned with the relationship between the production of quality in public space and the arrangement of partners in the development process. Public space is produced in countless different development contexts from carefully planned town centre redevelopments and new green-field housing estates to brown-field regeneration sites or national projects such as the 2012 Olympic site in Stratford London. As each development context differs, so too will differ the arrangement of stakeholders and factors such as planning policy and land values. As public space is a product of development – a process typified by negotiation and change – it stands that the quality of public space will be affected by the arrangement of partners, relationships and factors in the development process. The development contexts for this report are two Public-Private-Partnerships (Greenwich Peninsula and Heart of East Greenwich) involving English Partnerships, the Government's national regeneration agency. This is not therefore a study of the provision of public space in general or a comparison of the quality of public space provision between PPPs and non-PPPs. What is the focus is how English Partnerships, representing the state as the public sector partner, structure the partnership with the private sector and what impact this has on their ability to control the quality of public space. I will argue that the particular arrangement of English Partnerships' projects, based primarily on their land ownership and investment, enables EP to demand high quality public space through the development mechanisms, levers and controls that they have structured into their deals with the private sector. However, as English Partnerships and PPPs operate in the context of the wider property market, in terms of the institutions, rules and property development practices that condition any development, the case studies must be considered within the wider context of planning policy and commercial imperatives. How English Partnerships' role, aims and abilities, and the structure of the PPP relate to and are affected by this greater context is equally part of the story. The study will show that, whilst in principle English Partnerships has a great degree of control over the quality of public space, in practice the extent of this control is hard to clarify and is subject to limitations that are consequential of both the partnership structure and wider development context.

Defining quality in public space is a difficult and subjective matter. A 2002 MORI poll defined quality in terms of 'crime reduction', 'activities for young people' and 'reduced traffic' (Carmona *et al*, 2008). Similarly the Audit Commission in 2002 identified 'pleasant', 'attractive' and 'well designed' as good qualities of public space (Carmona *et al*, 2008). Some commentators (Stevens, 2007) stress the social significance of public space and define quality in terms of a variety of uses and diversity of users. Others (Tonkiss, 2005) highlight the role of property rights in determining access and use of public space and criticise increasing privatisation and commercialisation of public space in ownership or management (Carmona *et al*, 2008). There exists then a wide range of quality indicators and an equally wide range of factors that influence the quality indicators in turn. It should also be noted that different types of public space are judged upon different qualities. To deal with this complexity, I will look at how EP define quality in public space. EP consider a range of tangible quality indicators such as design, materials, long term

management and the need for a variety of types of public space to serve a variety of different uses and users, as well as non-tangible indicators such as a 'sense of ownership' and perceptions of crime and safety. Issues of property rights, privatisation and commercialisation, so prevalent in academic literature, are on the other hand absent from EP's quality indicators. This poses an analytical problem as the underlying mechanism of the two PPPs involves the privatisation of public space as land passes from public to private ownership. In this respect, it is important to balance the shift in property rights from public to private against the benefits of the developments from the creation of new public spaces and the conditions that are placed on the private sector in terms of the public space features, design quality, management and access, and, more important arguably, the desires of the local community for that public space as communicated through the consultation process. This brings us onto the important aspects of control and power, and their institutionalisation and arrangement in the PPPs.

One of the central questions in this report is what determines EP's control and influence and how is it exercised by the agency in the PPP. First, it is important to recognise that power and control are not always negative. The French thinker Michel Foucault wrote "If power were never anything but repressive, if it never did anything but say no, do you really think one would be brought to obey it? What makes power hold good, what makes it accepted, is simply the fact that it doesn't only weigh on us as a force that says no, but that it traverses and produces things ... It needs to be considered as a productive network... much more than as a negative instance whose function is repression." (Foucault, 1991, p. 61). One must consider equally the positive and negative, or repressive, aspects of EP's control. Ownership of the development site is the primary basis of EP's control and allows them to choose the private sector partner and dictate expected standards for the site through a development brief. A development agreement negotiated between EP and the private sector partners institutionalizes the control mechanisms and defines how EP regulate the quality of public space. However, the extent of EP's control varies as a result of the division of responsibility and the distribution of risk and return between the public and private sectors in the PPP. It is important to assess how the structure of the PPP affects EP's control over one particular aspect of public space quality, for example design, over another quality indicator, for example the materials of the landscaping. Furthermore, there are factors out of the direct control of EP that influence the quality of provision of public space. These include planning policy and commercial pressures which EP must respond to.

During the course of the investigation, a number of those interviewed compared the extent of EP's control over the quality of public space against that of a local authority through the planning system in the hypothetical case of a non-PPP private development where the developer has only a short-term interest in the site. It was not the original intention of this report to compare PPP developments with non-PPP developments, nor do I wish to suggest that English Partnerships PPPs result in higher quality public space than non-PPP private developments by virtue of English Partnerships' involvement. However, I will make limited reference to this

comparison as it helps give perspective to the extent of English Partnerships' control and relationship with the private sector

## **.2.0 METHODOLOGY**

The report has three central aims:

- i) ***To explore the source and mechanisms of EP's control over public space provision***; e.g. land ownership and the development agreement;
- ii) ***To identify evidence of the operation and effect of EP's control over the quality of provision of public space***; e.g. changes in design, size or materials or positive commitments to achieving a quantifiable quality standard for public space;
- iii) ***To examine how English Partnerships and PPPs operate in the context of the property market and investigate what factors, besides EP, influence the quality of provision of public space***; e.g. national, regional and local planning policy.

The validity of the conclusions of the report rest on being able to fully explore each of the three aims. The first aim proved easier to investigate than the second and third. It was not difficult to ascertain the structure of the PPPs nor what controls EP had in principle. However, finding evidence to the extent and effects of these controls was harder to identify and substantiate. This was because the second and third aims rest on the ability to prove that (a) any particular effect or control on the quality of public space is a result of EP's control and not another factor, or rival theory, and or (b) to judge, where EP's influence is one of multiple factors, the significance of EP's influence against that of the other factors. This is particularly difficult to do given the amount of variables and influences there are in the development process.

To investigate the aims I carried out two case studies of PPPs - The Greenwich Peninsula project and the Heart of East Greenwich. Basic details of the case studies are contained in appendices B and C. For each case study it was necessary to gather data to address the research question into the structure and relationships of PPPs. The data collection process consisted of semi-structured (digitally recorded) interviews with key stakeholders from both the public and private sectors and the analysis of available documentation. I also carried out a site visit to the Peninsula to take photos as evidence for the research. A similar trip was not performed for HEG because the site is still vacant.

The interviews were based on a questionnaire designed to investigate key issues such as:

- The structure of the PPP: both formal legal relationships and informal working methods such as meetings;

- The different roles of stakeholders, their attitudes towards public space and the quality of the relationships between them;
- At what stage in the PPP and through what mechanisms is public space articulated and negotiated, and in what terms and by whom;
- Who has responsibility for the design and delivery of public space from a contractual and financial perspective.
- What non-PPP related factors influence the provision and quality of public space; i.e. planning policy, locational context in terms of style, density and character; size of the development; urban policy.

The questionnaire is contained in Appendix A. The interviews were conducted with:

- A Regeneration Manager from EP who is involved in GP and HEG
- A Community Development manager from the developer First Base – the private partner at the HEG.
- A regeneration officer from Greenwich Council who works in the Greenwich Waterfront Regeneration Agency. GWRA is the council's body that deals with regeneration in the peninsula area and co-ordinates the GP and HEG projects for the council.
- A development and regeneration consultant from Jones Lang Lasalle who advises on the GP project for MDL
- A Development Manager from Quintain Estates and Development Plc. QED represent one half of the private partner consortium, Meridian Delta Limited, on the peninsula along with the developer Lend Lease. MDL in 2007 re-launched as Greenwich Peninsula Regeneration Limited.

Documents used for the analysis included planning application documents; planning policy documents (UDPs, Development Frameworks, SPGs, The London Plan); planning officer reports. Details of all the documents collected are contained in the bibliography.

The main objective of the data collection process was to gather evidence of EP's influence on the quality of provision of public space and to examine the key issues outlined in the introduction and above. It was hoped that the use of multiple sources of evidence would converge and corroborate the findings and substantiate my conclusions. However, there were a number of limitations to the case study investigations:

- For reasons of commercial sensitivity, I was unable to obtain key documents such as the development agreements and other legal documents that structure and govern the operation of the PPPs, nor obtain minutes of meetings between EP and the private sector partners at GP and HEG.



- No price data or business plan information was available relating to the cost of public space infrastructure for reasons of commercial sensitivity.
- An interview with the developer Lend Lease was cancelled. I was however able to see QED which forms the other half of the MDL consortium at the Peninsula.
- I was only able to conduct a brief telephone interview with First Base and was not able to satisfactorily investigate the full range of issues in the questionnaire with them for the HEG case study.

These difficulties impacted on the ability to assess the three aims and have detracted from the evidence base of the project. In particular, not having access to the minutes of the meetings between EP and the private sector actors has made it substantially harder to test the limits of EP's control as it was in these meetings that evidence of EP's controls, influence and interaction with the private sector was likely to be seen. The negative effects of these limitations were mitigated to some extent by being able to interview in full English Partnerships, Greenwich Council, Jones Lang Lasalle and the developer QED which has given me some insight into the relationships and power dynamics of the PPPs.

It is possible to argue that the choice of the two case study developments also created limitations as the developments have not yet been completed and it was not possible to examine the final product of public space. However, as the focus of the study is the relationship between EP and the private sector this did not prove problematic or detract from examining the extent of EP's control as the structures of the PPP and the design and costing of public space had already been established. The main limitation therefore was not a lack of information but of limited access to it.

### 3.0 LITERATURE REVIEW

The aim of the literature review is to look at different conceptions of power and control in the organisation of PPPs and relations between the public private and sector, and how this affects the quality of public space. The review will start by addressing what exactly PPPs are.

Partnerships have become a common feature in the property industry. A study of nine urban areas by the Joseph Rowntree Federation found that in 'in any one local authority area there may be 70 or 80 partnerships operating simultaneously' (Carley *et al.*, 2000, p. 3). It is important though to distinguish between a PPP and where a broader partnership structure has been adopted. For the purpose of this report, a PPP is defined as:

A development delivery mechanism with combined public sector investment and private sector investment



This definition is based upon discussions with property and regeneration professionals (JLL 2008). Thus, whilst many developers and private sector organisations work in partnership with local authorities and the public sector, they may not necessarily be PPPs as the public sector does not invest. The basic of structure of PPPs with English Partnerships starts with the regeneration agency acquiring the site and investing public funds to bring it forward for development (EP, 2008). EP however are restricted by government legislation from directly developing the sites so are obliged to work in partnership with the private sector. Once the development is completed, ownership of the land passes to the private sector and the public space is in effect privatised. Central to understanding PPPs is the relationship between the state (public sector) and the private sector. McCarthy (2007) gives two essential interpretations of the public-private relationship; the first interpretation stresses the control of the public sector and emphasises PPPs positive role in development as a 'way of asserting local co-operation, promoting the identity or place, and strengthening municipal pride'. The second interpretation gives greater control and weight to the private sector and emphasises 'ideas of neo-liberalism, promotion of enterprise and belief in the virtues of the private sector' (McCarthy, 2007, p. 17). Depending on which interpretation one chooses to focus on, the effects on the quality of public space differ considerably.

The second interpretation focuses on the shift in relations between public-private relations towards a neo-liberal, market orientated approach for government and increasing privatisation (Hastings 1999; Matthews *et al.*, 2007, McCarthy, 2007; Prior, 2005). McCarthy (2007) describes a 'reinvention' of government towards a corporate, entrepreneurial approach. Similarly, Hastings (1999, p. 92) describes the strategies pursued by the Conservative and Labour Governments since the 1980s to 'reshape institutions and to erode the conventional distinctions between the public and private sector'. From a Marxian perspective, the increasing reliance of government on the private sector and changing role of the state from a producer to enabler has had a negative effect on the quality of public space. Marxists place the principle organisor and power relations of

society on the structural 'ownership of economic capital' (Matthews *et al.* 2007) and define the accumulation of profit as the key driver of society (Prior, 2005). Land is one form of capital and Prior (2005) describes how 'Capitalism requires rules of land ownership to control access to land, and to identify who owns commodified space. This takes the form of a system of property rights'. The privatisation of public space in the PPP process places the ownership and management of public space into the control of private individuals and private interests. Carmona *et al.* (2008) believe this has negative consequences for the quality of public space in terms of management, through increased security measures, regulation and the restriction of access and uses, as well pressures for the commercialisation of public space. For the French sociologist Henri Lefebvre capitalism, privatisation and mass production transforms public space so that it is 'homogenised and fragmented, so that it can be exchanged as a commodity, and put in the service of accumulation' (Stevens, 2007, p.11). Public space and public life is increasingly given over to collective consumption of mass produced commodities and experiences. This undermines the role of public space as a place of social exchange as its use is linked to commercial activity and consumption (Carmona, 2008, p. 14). Tonkiss (2005) also highlights the impact of capitalism and privatisation on public space as more of the 'contemporary city is given over to private consumption and private concerns' (Tonkiss, 2005, p.73). For Tonkiss, privatisation, 'not only in terms of the private development or redevelopment of property, but also in the use of public space or services for profit, or the role of private interest in urban government' (T, p.72) has further complicated the right to the city through increased forms of regulation of public space such as 'private security' and 'codes of consumption and conduct' that private stakeholders employ to protect their interests.

The first interpretation is characteristic of government reports where PPPs role in delivering the government's 'urban renaissance' and tackling social problems such as social exclusion, crime and poverty, is stressed. One example of this interpretation is a report by the Joseph Rowntree Foundation (2000) into the effectiveness of partnerships. The report highlighted the importance of the organisational structure of the partnership and its affect on the outcome and success of the partnership.

"On an organisational side, the quality of a partnership is substantially influenced not only by the factors that define the partnership itself, but also by factors that define the quality of governance and management of the constituent partner organisations, or *stakeholders*" (JRF, 2000, p.5)

This supports my initial premise that the quality of public space is affected by the arrangement of partners in the development process. As opposed to the Marxian critique of power which is based on a structural analysis of economic capital, the JRF report highlighted the importance that leadership, managerial skills and political commitment as positive forms of control and influence have on the quality and outcome of a partnership. The report stated that 'political and executive leadership', 'a culture of partnership' between the public and private sectors, long-term commitment, and a broad base of community and business involvement in the partnership were

essential for a successful partnership. In particular, the success of a partnership rests on the ability of the public and private partners to combine their individual aims and interests into group partnership aims and to translates the group aims into 'workable objectives'. The benefits of a successful partnership were suggested to be a 'strategy suited to local requirements, real political commitment... joined up action and encouragement of innovation' (JRF, 2000). So far as the quality of public space relates to the arrangement and qualities of a partnership, it is informative to compare the key lessons of the JRF report with key lessons from the work of Carmona *et al.* (2008) on the management of public space. Carmona *et al.* identified the need for strong political commitment and leadership; long-term commitment and a clear strategy; adapting to local circumstances and the involvement of other stakeholders as important components for delivering high quality space. These qualities and circumstances for achieving high quality public space are the same as those the JFR report highlighted as essential ingredients in the relationships and organisational structure of a successful partnership. Other reports (CABE 2002 & 2004a) champion the need for creative leadership, commitment to good design and the importance of local community involvement in the creation of high quality public space. CABE (March 2004b) also highlight the potential for high quality public space to be a shared objective through demonstrating the economic value that high quality public space can generate for private interests, whilst meeting the social and political objectives of the public sector. This alignment of aims in a PPP, between social goals and neo-liberal, commercial aims, is what has been described as the 'Third Way' and is the chief justification for increasing state partnership with the private sector and further privatisation (McCarthy, 2007).

A third mode of conceptualising power relations is where the 'actors with greater power have power over the decision-making process itself' and are able to decide 'what questions are allowed to reach the table and what decisions get to be made' (Matthews *et. al.*, 2007). In a study of the development of the Leith Docks, near Edinburgh Scotland, Matthews *et. al.* (2007) argued how "the planners within the planning authority used their monopoly of political and professional power to coerce the developer to be more strategic in its approach to development and so gained control over development". In this instance, the planners were able to draw on the political power and legitimacy of the planning system and use planning policy to shape the agenda for development. Atkinson (1999) adopted the same theoretical approach in his paper on partnership and community empowerment in contemporary British Urban Regeneration. Atkinson argues that there is "no single authentic mode of assigning meaning to terms such as partnership and empowerment" and that their meaning is "constructed (i.e. produced and reproduced) in a context of power and domination which privileges official discourse(s) over others". The consequences of this are to reinforce existing relations of domination and control. He remained sceptical as to what effects discourses of empowerment and community involvement really had in raising the public from their disadvantaged position. Depending on which approach one takes, the effects of this on public space could be positive if the public sector are able to harness the political power of the planning process or negative if commercial imperatives are allowed to dominate to the detriment of investment in public space and for community involvement.

The literature review demonstrates that the effects of control and power relations in partnerships on the quality of public space must be assessed on a variety of levels from the rights of property ownership, positive methods of influence through leadership and the synergy of partnership aims to the control of the development process and the use of political and professional powers embedded in the discourses and organisational structures of the partnership itself. There remains however the problem of adequately defining the quality indicators for public space. I have chosen to use three broad categories to define the different aspects of quality in public space. For each I have highlighted the main features that fall under the headings:

i) **Social quality** – public space that encourages social interaction and exchange and allows for a variety of uses social events from cultural festivals or artistic performances; a public space that is reflective of local identity and where the community have a 'sense of ownership' over it;

ii) **Design quality** - a pleasant and attractive environment; an interesting variety of morphologies of public space that encourages a variety of uses; financial investment into high quality landscaping materials; the government standard for crime prevention 'Secured by Design' and inclusive design principles for social inclusion;

iii) **'Rights' quality** (the 'politics of space' or the 'right to the city' (Tonkiss, 2005)) – rights of access to and use of public space without undue hindrance from excessive regulation and management.

Reference to the quality of public space in the analysis will be defined in relation to these three categories when appropriate. The intention of this categorisation is to recognise the broad range of factors affecting public space and allow for the differentiation of quality of public space whilst avoiding lengthy and repetitive references to the different qualities of public space. The choice of the three categories is based on three prominent approaches to public space in academic literature - social and design perspectives, and the 'politics of space' (Carmona *et al.*, 2008; Carr *et al.*, 1992; Cochrane, 2003; Stevens, 2007; Tonkiss 2005).

## **4.0 Analysis**

### **Introduction**

The analysis is based upon the two case study investigations on Greenwich Peninsula and Heart of East Greenwich. The first section of the analysis focuses on the first aim presented in the methodology. It is broken into five parts and looks at the structural arrangement of the PPPs and EP's mechanisms of control. The five parts are: land ownership; investment; the selection process and development brief (or Masterplan); the development agreement; and risk, return and responsibility.

Section two of the analysis focuses on the second of my central aims and assesses the evidence of EP's control of the quality of public space obtained during the data gathering process from interviews and the documentation search. The third section of the analysis deals with the third aim and the wider context of the PPPs in relation to the extent of EP's control over the quality of public space.

### **Section 1**

## **4.1 Mechanisms of Control**

### **Land ownership**

The basic transactional structure of the PPP involves EP acquiring the site and leasing it to a private developer to develop on the basis of a development agreement. On completion of the development ownership of the land passes to the private sector. The control mechanism for the land transfer is contained within the development agreement and is conditional upon EP signing off the development to their satisfaction:

*"They [the developer] do not become landowner of the site until we [EP] are happy that the developer has completed the development to the required standards ... We work very much in negotiation and partnership but if it boils down to it legally we still have a legal hold over the developer and can influence them to a certain extent that way. (EP, 2008)*

EP identified land ownership as "the most important lever" they have (EP, 2008) for achieving their desired standards of quality. This was demonstrated by the comment:

*"I think that we have the advantage that we own the land and that we are bringing sites to the market that the market would not deliver themselves... We'll have fixed the quality of public space, although the actual specs of what they use, in terms the materials, we'll leave largely up to them, but we will have said we expect this quality. We have the sign off process so if its not up to scratch then we can say no this is not acceptable... (EP, 2008)*

Land ownership forms the basis of EP's power and control in the PPP. It enables them to shape the deal that is formed between EP and the private partners (GWRA, 2008).

### **Investment**

As the UK Government's regeneration arm, EP have the ability to resource government funding (JLL, 2008). EP have invested c. £225m in infrastructure investment and remediating Greenwich Peninsula (EP, 2008; NAO, 2008). At the Heart of East Greenwich EP have borne the cost of demolishing the former hospital and clearing the site in preparation for development (EP, 2008). From a cost perspective, EP's investment is very important because it reduces the costs to the private partner. This is shown by the following comment from EP:

*"... we can say to the developer you haven't had that cost to deliver it, you haven't had that cost to pay... but if a developer had had to pay the demolition or remediation etc then they would not have been able to afford to do so high quality a public realm" (EP, 2008)*

EP have a significant advantage also that private developers do not when dealing with returns on their investment. EP can:

*"...claim outputs like housing sites finished, brown-field land remediated, square footage of offices built, local jobs generated... its not just about the cash we get back in return for our investment." (EP, 2008)*

The effects of this were explained by the officer from Greenwich Council:

*"... One of the benefits of having English Partnerships involved is that there is financial stability because of the flexibility in how they deal with their land value and where profits are taken... they are allowed to look at the benefits of a scheme, the outputs, not just in terms of pound (£) notes but also in terms of a series of other outputs which are important to the government and to English Partnerships... They can subsidise certain elements through that... key worker housing or as in the case of new Heart of East Greenwich subsidise a very eco-friendly, carbon neutral scheme that obviously has a cost attached to it... "* (GWRA, 2008)

This enables EP "to insist on quality in terms of design, materials and also in terms of the standards..." (GWRA, 2008) in public space from the private sector.

### **The Selection Process and Development Brief / Masterplan:**

EP select the private sector developer through a competition process because of their land ownership. Part of the selection process includes EP setting a vision for the scheme in the development brief for the private sector bidders to respond to. (See table 1 on page 22 for details of the development briefs).

### **The Development Agreement**

The development agreement governs the structure of the PPP and gives EP a series of controls over the development. Besides conditioning the transfer of the land, EP set the quality standards they expect the private partner to achieve in the development agreement. EP's attitude towards public space and how it should work are clear:

*"It is very important to us because it creates a sense of place. There is no point just putting in the public realm for the sake of it, and paving it over. It has got to be useable for people..." (EP, 2008)*

EP's standards for public space are "good design, good quality of materials, and useable space" (EP, 2008). In order to impose and regulate these standards, the development agreement gives EP the right to approve build contracts, business plans, design drawings and planning applications prior to submission (EP, 2008, QED, 2008). Professional relationships between the partners are also developed through a variety of organisational meetings and joint working groups. On the peninsula project, a project control group consisting of senior representatives from EP and MDL meet every month to review progress, and discuss operational matters and strategic objectives (NAO, 2008). Similarly at HEG, monthly progress and communication meetings take place as well "more than monthly legal meetings" (EP, 2008).

EP consider public space not just in terms of materials, a hard-landscape (e.g. a paved square) or soft-landscape (grassed, open public spaces) but as a key element of how society functions – as a place of social interaction, a focus of local identity and a place that must serve a diverse range of needs and uses required by the community.

*"There has to be an individual sense of identity... its about making places where people want to spend time, a place where they feel ownership of..." (EP, 2008)*

EP's quality standards for public space require that all developments are designed in line with the principles of the UK police's Secured by Design accreditation for safe and secure environments to discourage anti-social behaviour as well as following their guidance on inclusive design aimed at achieving social inclusion (EP, 2007b). EP's approach to public space is embodied in the community engagement practices they employ and which the developer is obliged to partake in (EP, 2007a). EP also recognise the importance of long term management to the quality of public space and as part of the development agreement require a long-term management strategy to be produced and delivered (EP, 2008c).





(Photo 1: MDL maintenance staff at the Peninsula 48 acre park)

### **Risk, Return & Responsibility**

The transfer of risk and responsibility between the public and private partners has an important influence on the extent of EP's control. The allocation of the respective rights and responsibilities in the PPP is set out in development agreement. Accompanying the transfer of risk and responsibility is the allocation of return. In the two case studies, EP have agreed profit sharing arrangements with MDL and FB based on an initial land payment to EP as land is drawn down for development and a profit share on completion. (EP, 2008; NAO 2005 & 2008). EP therefore maintain an element of risk during the PPP as part of their returns are based on revenue generated in sales and income at the end. EP's continued exposure to risk entitles them to control over the development on top of their initial investment and land ownership. However, EP's general role in the PPP is managerial in nature and as landowners they maintain the right to approve all details of the development as described above. The responsibility for delivering the development falls to the private partner. Therefore, although EP maintain an exposure to risk, the transfer of responsibilities and a large proportion of risk to the developer weakens EP's ability to control the quality of public space, especially in terms of design quality, as it passes to the developer.

## Section 2

### 4.2 Evidence of Control

The evidence for the operation and effects of EP's control over the quality of public space is hard to quantify and delimit. EP's influence over other aspects is more readily identifiable. In the GP case study, EP persuaded MDL to target a level 4 rating for the Code for Sustainable Homes (NAO, 2008). Level 4 is substantially higher than the current industry standard which is for Level 3 only. In relation to MDL's investment in Level 4, QED commented that:

*"It's serious money and you don't get an immediate return or immediate added value from investing in code level 4... This is a very high profile, essentially publically owned, regeneration scheme and it is all part of the cost of establishing the right credentials, the right quality levels" (QED, 2008)*

This demonstrates the influence that EP have as the government's regeneration arm and the importance of their ownership of the land for encouraging high quality standards. It is also testament to MDL's commitment to the project and of the shared desire between MDL and EP to work in partnership to achieve a quality of development that is substantially higher than property industry norms. Similarly at HEG, EP negotiated with First Base to make the scheme carbon neutral (EP, 2008). In this instance, EP's ability to subsidise costs was an important factor in negotiating this with First Base (GWRA, 2008). EP's investment in both sites was recognised as crucial by all those interviewed and it was acknowledged that delivery of the schemes without it would not have been possible, or would have been of a lesser quality.

With regards to assessing EP's control on public space, one can start by comparing EP's initial development briefs against the selected private partners' masterplans (see Table 1 on page 22). For the Peninsula, it appears that EP's desire for 55 acres of POS have not been met as the MDL masterplan's park is 7 acres smaller at 48 acres. I was unable however to ascertain if EP's 55 acres of POS was for the park alone or whether this included other public spaces such as squares and riverside walkways. As this report is not intended as an architecture or urban design masterplan evaluation I will refrain from comparing masterplans. What is important to recognise is that there were heavy discussions between EP and MDL during the development of the MDL Masterplan and the MDL masterplan subsequently followed on from the principles established in EP's 1998 masterplan (CABE, 2004). Therefore, despite not being able to establish definite and specific evidence of EP influences on the MDL masterplan, it is possible to conclude that EP's ambitions for the site as a high quality, sustainable mixed use environment have been met in the MDL masterplan. This is in no doubt due to the publically owned, high profile nature of the project and MDL's desire to deliver a high quality scheme and further enhance their reputation as market leading developers, as was the case with the MDL's commitment to target a Level 4 rating for the Code for Sustainable Homes.

<b>Greenwich Peninsula</b>  English Partnerships' 1998 Masterplan (LBG, 2002)	MDL 2002 Masterplan (LBG, 2003)
<ul style="list-style-type: none"> <li>• <i>A total of 55 acres public open space</i></li> <li>• <i>To establish a high quality mixed use urban environment</i></li> <li>• <i>Establish a clear but flexible open space system for the area</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>A 48 acre central park</i></li> <li>• <i>1.6miles of riverside walkways and frontage</i></li> <li>• <i>6 public squares (including Peninsula Square) of varying character and usage</i></li> <li>• <i>Meets Secure by Design Standards</i></li> <li>• <i>A network of eco-corridors connecting the park to the Thames River to encourage wildlife depth into the neighbourhood.</i></li> <li>• <i>Cycle and pedestrian routes</i></li> </ul>
<b>Heart of East Greenwich</b> EP's Development Brief (First Base, 2008a)	First Base's Masterplan (First Base, 2008a /2008c)
<ul style="list-style-type: none"> <li>• <i>Create a new urban neighbourhood for the Heart of East Greenwich</i></li> <li>• <i>Promote and deliver outstanding design</i></li> <li>• <i>Create an environment for people with a strong sense of place, character and identity...</i></li> <li>• <i>Provide a safe, secure environment that properly integrates Secure by Design standards ...</i></li> <li>• <i>Deliver an integrated public realm that is rich and beautiful, encourages a range of activities and is brought to life through high quality landscaping and materials, well design street furniture, and public art.</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>a 11,091 Community Centre – 'The Greenwich Centre incorporating Swimming pools; Library; PCT facility; Council Drop In Service Centre; Crèche; Café space and Young Persons space - that will serve as a local destination and civic centre for the neighbourhood.</i></li> <li>• <i>Design principles based on an integrated landscape, biodiversity, art and culture and sustainable community living</i></li> <li>• <i>Extensive community consultation by First Base aimed at achieving a strong sense of ownership and sense of place</i></li> <li>• <i>Meets Secure by Design Standards</i></li> <li>• <i>A Public Square; Communal Gardens, a Market Street and 'Play' Street provides opportunities for a range uses for children and adults from social interaction and play to local markets and cultural events.</i></li> </ul>

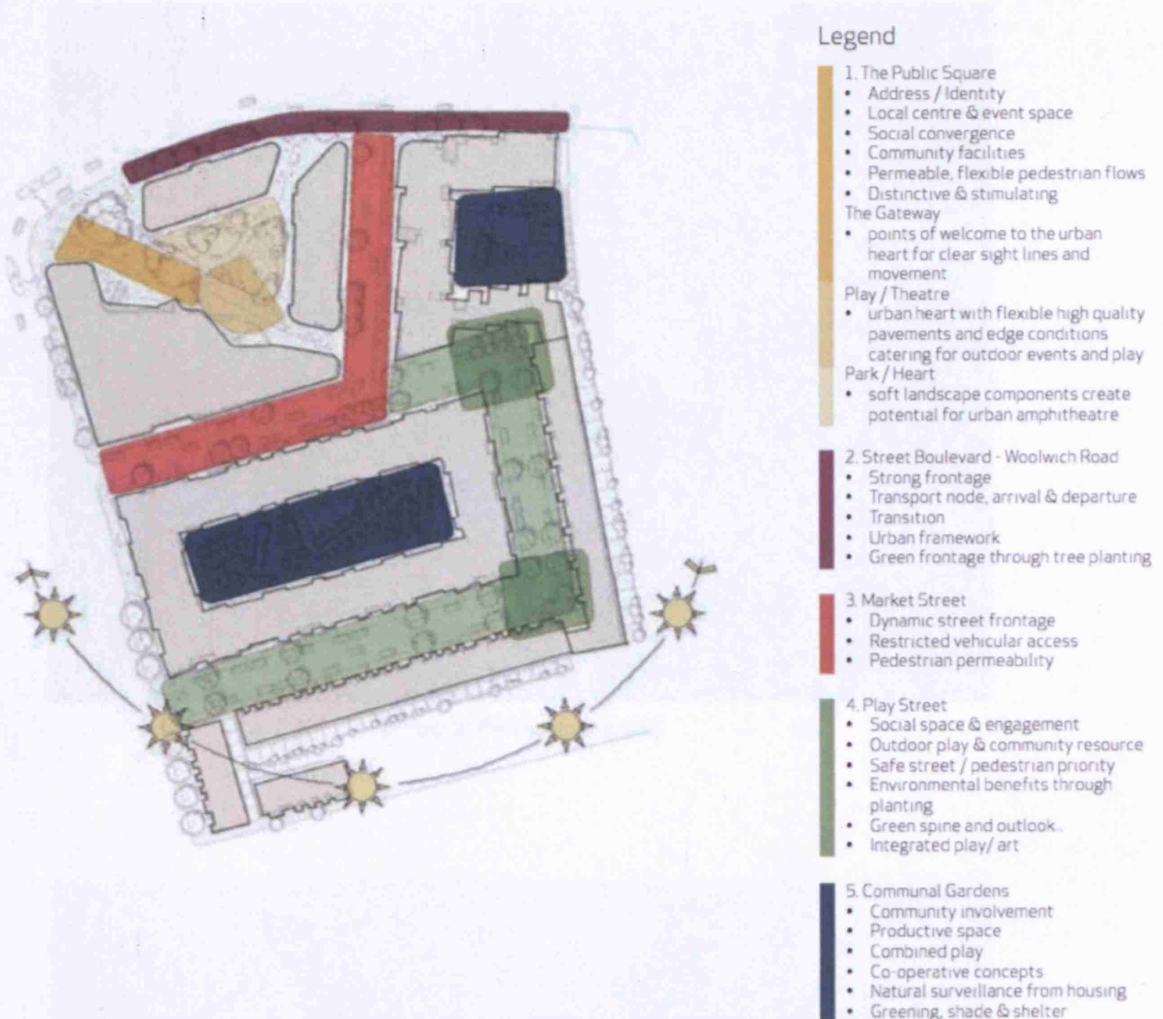
(Table 1: Comparison of EP Development Briefs and Private Partner Masterplans)



(Map 1: Key Masterplan Features; Source: First Base, 2008a)

At the Heart of East Greenwich, there is clear evidence that EP's community consultation requirements had an impact on the design and social quality of public space. For instance, one of the main concerns voiced by local residents in the consultation process was that the busy road which runs past the site would make the civic square "noisy and dirty" (EP, 2008) if exposed to it. In response to this, First Base altered the position of the civic square so that it was now positioned "inside the development ...set back from the road... so that it is more usable" (EP, 2008). First Base also carried out a project with a youth organisation called 'My City Too' at Heart of East Greenwich to explore how the public space is used by young people. The developer used the design principles that came out of their work with My City Too to inform the design of HEG and also hoped that the outcome of the project would ensure "*that there's a sense of ownership and civic spirit*" (First Base, 2008) in the development. Diagram 1 shows the variety of uses and types of public space that have been designed in the First Base masterplan. The community consultation process also empowers local residents in the development process itself with the effect of improving the 'rights' quality of public space through access and influence over the design of public space and development itself and a 'sense of ownership'.

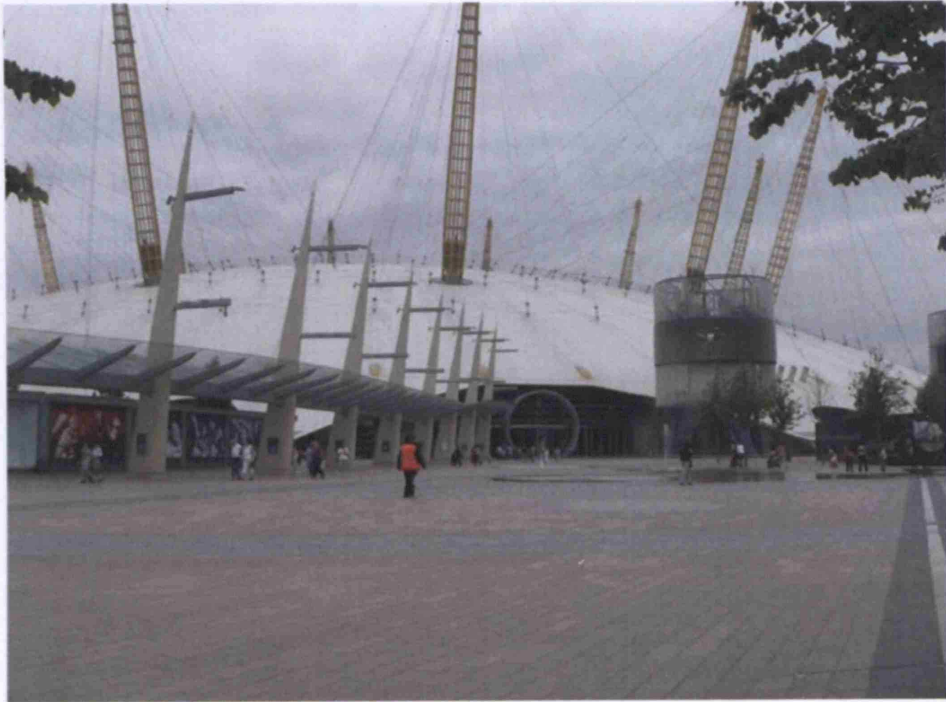




(Diagram 1: Public Space Design; Source: First Base, 2008a)

At the peninsula there has been "a huge investment in landscaping" (QED, 2008) by MDL, most of all into Peninsula square where c. £15m alone was spent installing a granite finish, water features and a 'green wall' (see photos 2,3 and 4 on pages ). QED commented that the investment so far in the public space was important for "*establishing the quality of the peninsula over the long term...*" and "*it will follow that the rest of the public realm will be of a similar quality...*" (QED, 2008). Peninsula square is intended as a place where people will congregate and has been designed to host special events, festivals and performances (GPRL, 2007b)

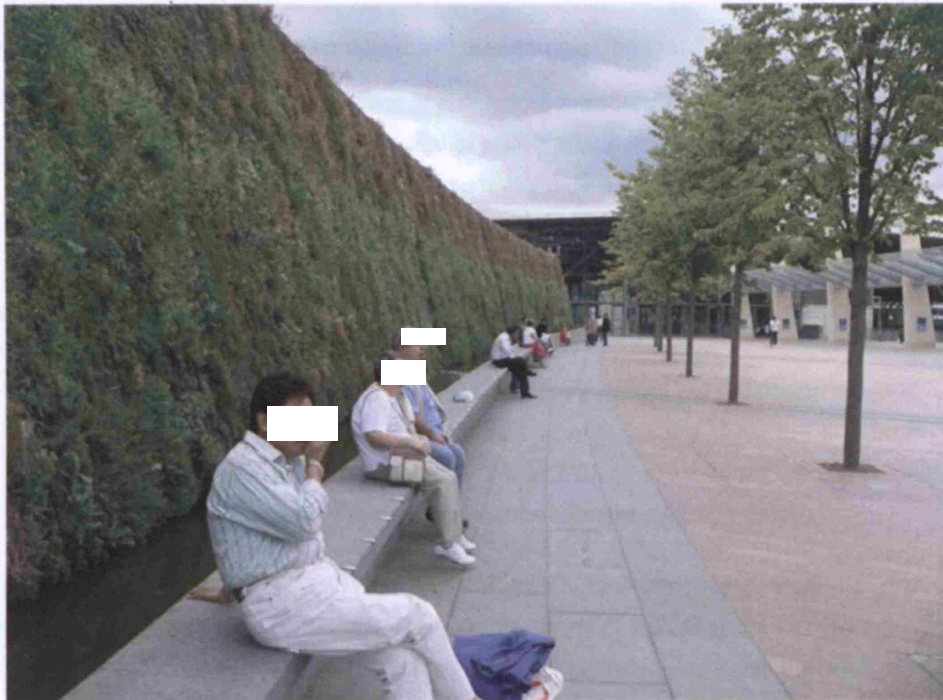
EP have also established and invested in an 'Art in the Public Realm Greenwich Peninsula' Strategy as part of the consultation process as a means of enhancing the social and design quality of the public space on the peninsula (EP, 2008). Photo 5 on page 26 shows people engaging with the art on the peninsula display which consists of over 1,500 artifacts and texts that capture the social, historical and geographical landscape of the peninsula (GPRL, 2007a).



(Photo 2: Peninsula Square)



(Photo 3: Children engage with the water feature in Peninsula Square)



(Photo 4: The Green Wall at Peninsula Square)



(Photo 5: Art display of local historical memorabilia and objects)

QED fully supported a high quality public realm and commented that:

*"It is essential that the public space is created and created well – the infrastructure is absolutely key in terms of the quality of public space and is vital for establishing the quality of the peninsula as a whole so that's why a large amount of money has already been spent on it ..."* (QED, 2008)

The reasons given for this however where in account of MDL's long-term business model:

*"Landscaping is one of the things that people really see and will determine the long term future in terms of success and values... what we are trying to do is add significant value to what is an area of land that had no value in the sense that it couldn't be developed without this substantial investment..."* (QED, 2008)

The development manager at QED explained that MDL's long-term business model expects the common costs incurred over the lifetime of the project, including those on public space infrastructure, to be recovered and cancelled out with a profit made at the end of the long development process (QED, 2008). QED acknowledged that high quality public space was *"partly driven by the partnership with EP"* and also:

*"... partly driven by the fact that long term the business plan shows that this is the best approach. Long term, 15 years down the line, followings MDL's substantial investment in infrastructure, return will be seen ... By investing in an attractive public realm, as we are already finding, people are coming to the peninsula for a day out, mainly to the O2 Arena, and I would imagine that in due course once the parks and river side walks are developed, people will come to the peninsula and wonder round, go down to the park... and the more people coming in, the more they spend in the shops. The greater the rent and the greater the value"* (QED, 2008)

QED's comments first of all reflect the fact that high quality public space, as well as having significant social and regeneration benefits, also adds economic value through achieving higher rents and capital values and is part of a synergy of individual stakeholder aims into wider partnership goals. Secondly, it reveals that quality of public space is driven, and ultimately dependent upon, generating value in the development to pay for it. This bears an important influence on EP's ability to set and control the quality of public. Section 4.3 draws the significance of this further.

Also significant was the comment by QED that although:

*"EP have the right to approve all design. They don't essentially determine what the quality levels are. MDL do that."* (QED, 2008)



The development manager added:

*“... its an interesting point with regard to the extent of EP's control... but we have no intention of establishing the extent of EP's control... it would naturally need to be a reasonable objection before we would wish to invest in heavily revising a design...(QED, 2008)*

These last two points provide an important insight into the nature of EP's control of the quality of public space. Although EP have the right to regulate the design quality of the public space in virtue of their land ownership, the transfer of responsibility and risk within the PPP from the public to the private partners has shifted an important element of control over the design quality levels of public space to the private partner.

QED were keen to stress the close partnership that existed between MDL and EP.

*“...we [MDL] are working with EP, we want them to be happy, they want us to be happy, it's a partnership between EP and MDL... so that's how it works” (QED, 2008)*

Similarly, EP said that they worked “very closely” and “very well with First Base” (EP, 2008). The significance of this is reflected in the next comment from EP:

*“... if we have very high aspirations for a site and our developer partner doesn't then we are going to struggle because we will be saying to them “you need to push this, you need to push that” and they will turn round to us and say that can't afford it...” (EP, 2008)*

It appears that whilst EP's mechanisms of control will more or less be the same in structure and operation in PPPs as per their land ownership, investment and the development, the extent of EP's control is to a large degree influenced by the behaviour, attitudes and motives of their private partner as well as the commercial viability of the scheme and whether or not it can generate the values and returns to pay for high quality public space. Demonstrated in the GP case study at least, the commercial aims of the private partner have been married with EP's social, regeneration aims to create a shared partnership objectives. EP therefore have not had to exercise, so far as my limited evidence tells me, their regulatory controls over the quality of public space in order to raise it a higher standard. This appears also to have been the case with HEG.

## Section 3

### 4.3 The Development Context

Site-specific factors and general property market conditions have an important impact on the quality of public space. This section looks at the influence of commercial factors, from a cost and value perspective, and planning on the provision of public space.

#### Site Context

At Heart of East Greenwich, EP main priorities were to provide “a certain amount of housing” (EP, 2008) onto the site as part of the London Wide Initiative for key worker, affordable housing, and to provide the Greenwich Centre as part of LBG development framework for the area (LBG, 2002). The public space was subsequently designed around the housing and community elements at a “reasonable scale” (EP, 2008). The main public space feature of the development is the civic square and whilst it would not do to fit in a “tiny square” that would not meet the intended purpose of the civic space, “it was equally not commercially viable to create a massive plaza”. (EP, 2008). The design of the public space in the Heart of East Greenwich was a matter of “balancing all sorts of different factors” (EP, 2008).

Site-specific characteristics were also vital in determining the size, quality and type of public space on the Greenwich Peninsula. Due to peninsula’s size, there was “*incredible scope to incorporate a sizable chunk of public space on the site*” (JLL, 2008). The schemes location next to Canary Wharf was also important because:

*“It was always felt that Greenwich was going to be a sister development, a support scheme to Canary Wharf, a new London district, which offers a different environment to canary wharf, so there [Canary Wharf] you have the highest density in London, and here you have a scheme that can be in very close proximity but deliver a different offering...”* (JLL, 2008)

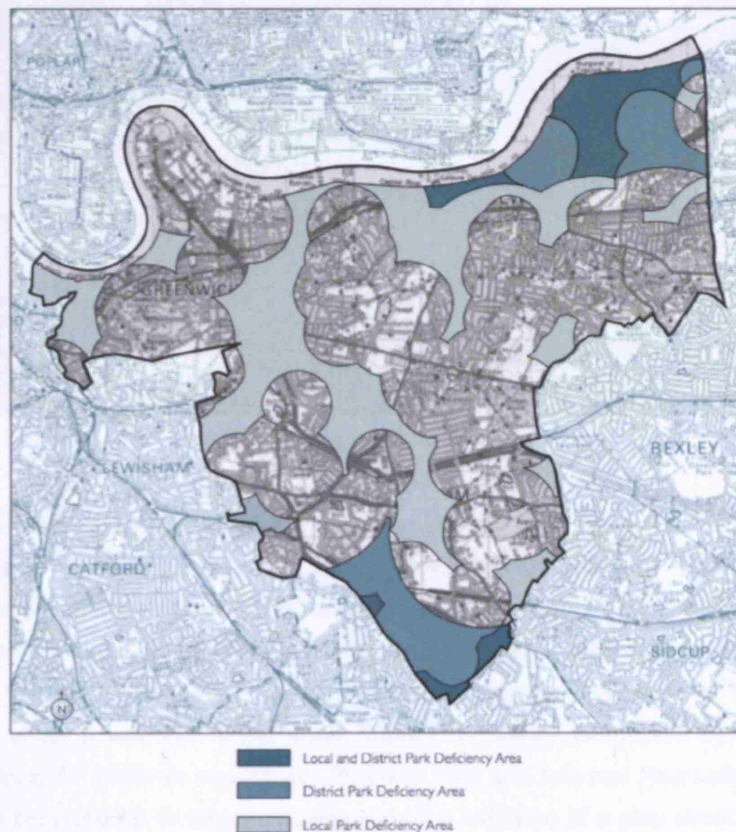
#### Planning

Planning policy has a major influence on the quality of provision of public space. One of the main effects of the planning system is to categorise public space into a hierarchy of public and private spaces. This can be seen in the Government’s Open Space Typology in PPG17 (Planning for Open Space, Sport and Recreation) or the London Plan’s *Public Open Space Hierarchy* (GLA, 2004). Local authorities use the typologies to assess areas of open space in an area and identify deficiencies where public open spaces are lacking and should be provided for (PPG17, 2002). The categorisation of public open space by size and function has led to a POS provision guideline under the London Plan.

Open space categorisation	Size guideline	Distances from homes to open spaces
Regional Parks	400 hectares	3.2 to 8 kilometres
Metropolitan Parks	60 hectares	3.2 kilometres
District Parks	20 hectares	1.2 kilometres
Local Parks and Open Spaces	2 hectares	400 metres
Small Open Spaces	Under 2 hectares	Less than 400 metres

(Table 2: GLA, London Plan, 'London's Public open space hierarchy'; Source, GLA, 2004)

The GLA guideline proscribes the distance that Londoners "should travel in order to assess each size of open space. Using the GLA guideline, LBG identified areas of POS deficiency in the borough as seen on map 2.



(Map 2: Greenwich Public Open Space Deficiency areas; Source: LBG, 2006)

With regards to Greenwich Peninsula:

*"In the peninsula area there is less park and open space per head of community than there should be. East Greenwich has always been an area of low public*

space so when the peninsula came up for development we were keen that that be redressed to a certain extent" (GWRA, 2008)

The provision of substantial public open space on the peninsula, which has been provided for by MDL with the 48-acre park and six public squares, was a major planning requirement for the development, and any application without this element would not have been granted (QED, 2008).



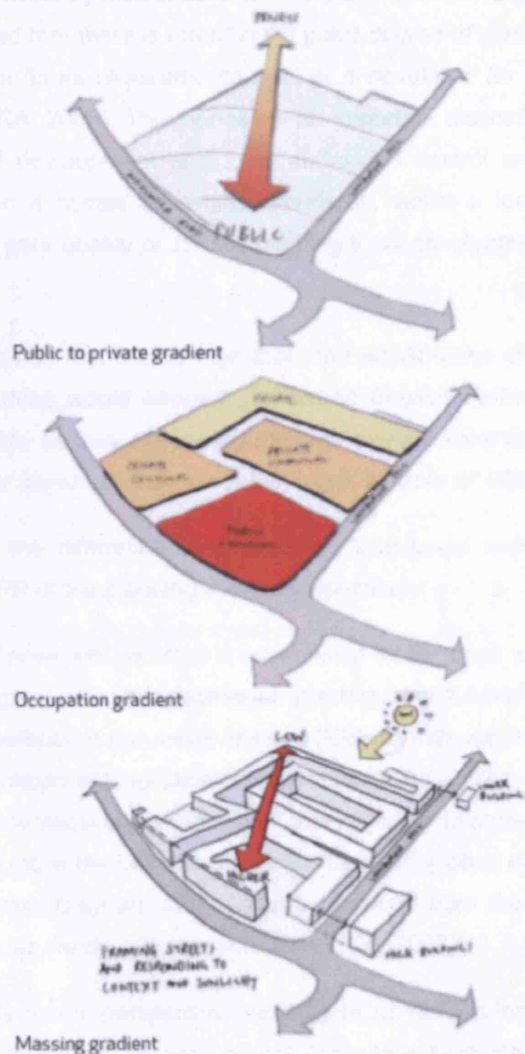
(Photo 6: Greenwich Peninsula Park)

At the Heart of East Greenwich, First Base undertook an open space audit to determine the local provision of public space, based upon the GLA's guidelines. The audit indicated that the site was within reasonable distances to a range of public open spaces such as Greenwich Park (a metropolitan park located 600m away) and East Greenwich Pleasaunce (a local park located 250m away). The audit did however indicate that there was a "deficiency for play facilities for children aged under 5 and 12+" (First Base, 2008b). This was determined by using the GLA's SPG on *Providing for Children and Young People's Play and Informal Recreation*, (GLA, 2008). This has been provided for in the development by the inclusion of a play street and play zones within the communal areas (First Base, 2008b).

The categorisation of space is essential to the design and masterplans of the two schemes. At Heart of East Greenwich there is a clear hierarchy and gradient of public and private spaces. The design of the scheme has created "a legible and connected hierarchy of multifunctional spaces... with varying scale and character" and a "clear distinction is made



between private and public space to ensure a proper sense of ownership for the private spaces and to promote open, accessible and socially inclusive public space" (First Base, 2008a).



(Diagram 2: Heart of East Greenwich Public to Private Gradient; Source: First Base, 2008a)

Greenwich Peninsula similarly is defined by a hierarchy of spaces between public squares open to the general public, semi-private communal gardens open to residents but closed off to the general public and completely private spaces in the form of terraces or balconies. Planning policy has a significant influence on this through the proscription of amenity space requirements for new schemes. For example, policy H11 on housing from the LBG UDP requires that family housing should have access to a private garden of 50m sq. in size minimum whilst flats in a development should either have access to a balcony or enclosed communal garden (LBG, 2006). Every flat in the Greenwich Peninsula has access to its own private space area (QED, 2008). As we have seen, public open space requirements are dictated by national, regional and local authority policies.

The council also set landscape and management strategies as part of the S.106 for GP and HEG and require community consultation to take place. (GWRA, 2008; LBG, 2003).

However, GC commented that there is often *"not a great degree of clarity about how much power the council has to make future requirements against a developer for management through the planning process"* (GWRA, 2008). This brings up an important distinction between the extent of EP's control on a PPP development and local authorities control on a non-PPP through the planning process. When it comes to setting standards, whilst a local authority can reject a planning application for poor quality or for not meeting local development plan requirements, the local authority:

*"Cannot set standards that are so high that they would make most developments non-viable as nothing would happen... whereas English Partnerships can have their own standards, as they are buying the land and selecting the developers and can impose higher standards than we [LBG] might be able to"* (GWRA, 2008)

EP also remarked on the difference between EP's and Local authorities' relationships with developers through a PPP or the planning system respectively:

*"A Council won't enter into as close a relationship as EP does with the developer. The council will grant planning permission but they won't have the same kind of hold over the developer in the sense that we [EP] do with our land ownership and the way our development agreements are structured... The council will have granted planning permission but have very little recourse to correct what they don't like...its not their job in the same way that it is our [EP's] job to deliver these things as a whole scheme. They are sitting slightly removed from the scheme whereas EP sit and pour over the developer's shoulders"* (EP, 2008)

This series of comments sets in perspective the importance of EP's landowner and the structure of the development agreements for setting and controlling high standards for public space. However, this sections shows how EP must act within the context of the planning framework. This was not a problem in the two case studies as EP's and LBG's aims were mutually supportive of one another and both wished to see a high quality public realm achieved as they shared the same attitudes towards the importance of public space (GWRA, 2008).

### **Cost, Value and Development Appraisals**

The public space in both case studies was the product of a balancing act between planning and the local area context. As to how the balance was determined and much public space is offered in the developments:

*"It is a very basic view of an appraisal of a scheme and how you make it work... its an economic balance... a balance between what is built that will derive an income*

*stream against public space and areas that you put in to provide a sense of place and community that do not generate a direct income..." (JLL, 2008)*

Public space must be considered in conjunction with every aspect of the scheme - housing, office or retail. This is natural given that public space fits around these other uses and enables them to work. There exists a dialectical relationship between public space and the development as a whole, in both cost and design terms. QED commented that:

*"The more you spend on landscape the greater the value you have to generate to pay for it... It has to be paid for by the scheme – the more landscaping that goes in the greater the density required..." (QED, 2008)*

EP are no different when approaching a site and are pragmatic when it comes to establishing what they want to achieve in the scheme as a whole and the public space and the quality levels for it:

*"We will have done the costs, values. We'll have looked at physically what you can get on the site... and understood what the site can deliver... because that is crucial. You can't hold up these lovely ideas that are not actually deliverable." (EP, 2008)*

EP of course operate within and according to the same rules of the property market as every other development. Public space is a cost and must be paid for by the value generated from the scheme. The logical conclusion of this is that EP's ability to control and influence the quality of public space, from a financial perspective at least, varies site-by-site and is primarily determined by the level of investment in public space the scheme can support given the value that the development is able to generate based on the requirements and restrictions of satisfying local planning policy and the local property market conditions in terms of capital values and rents and the support of EP investment in subsidising costs.

## 5.0 CONCLUSION

The report set out with three central aims in a search to understand how and to what extent English Partnerships control the quality of provision of public space in PPPs. The investigation started with the premise that there was a relationship between the production of quality in public space and the arrangement of partners in the development process and that the particular arrangement of English Partnerships' projects, based primarily on their land ownership and investment, enables EP to demand high quality public space through the development mechanisms, levers and controls that they have structured into their deals with the private sector. As the literature review established, the effects of control and power relations in partnerships on the quality of public space must be assessed on a variety of levels from the rights of property ownership, positive methods of influence through leadership and the synergy of partnership aims to the control of the development process and the use of political and professional powers embedded in the discourses and organisational structures of the partnership itself. This was done and it became clear that EP have multiple means of promoting and regulating the quality of public space. The structure of EP's partnerships with developers established in the development agreement gives them the right to regulate the quality of public space through approving of business plans, design drawings and all planning applications. EP's status as landowner of the sites is a vital lever for quality as ownership of the development will not transfer to the private developer upon completion unless EP are satisfied that their quality standards have been met. EP also promote the quality of public space through their community consultation and long-term management requirements, the design standards they set in line with Secured by Design and Inclusive design principles, as well as their arts strategy on the peninsula. EP's continued exposure to risk entitles them to control over the development on top of their initial investment and land ownership. However, the transfer of responsibilities and the allocation of risk and return in the PPP between the public and private partners means that EP's role is primarily managerial in nature and that the responsibility for delivering the development falls to the private partner. This loosens EP's control over the quality of public space, especially in terms of design quality, as responsibility for determining quality levels passes to the developer. This revealed the fact that the extent of EP's control of the quality of public space was conditioned in part by the attitude of their private partner towards investing in public space. Fortunately, in the two case studies, both developers could see the value of high quality public space and so the extent of EP's control was not tested in the negative sense as they have not had to enforce their rights to regulate the quality of public space as the developers were committed to achieving the standards that EP desired as set out in the development briefs. However, it was also revealed that the private partners were driven by the importance of quality public space for generating value in the developments and therefore for generating returns on their investment. Furthermore, as demonstrated in section 4.3, factors outside of the partnership organisation such as planning policy play a very important part in the provision of public space. This ultimately leads to the conclusion that EP's ability to control and influence the quality of public space varies site-by-site and is primarily determined by what levels of investment in public space the scheme can support given the value that the development



is able to generate based on the requirements and restrictions in satisfying local planning policy and the local property market conditions in determining capital values and rents and the therefore the expected gross development value and profitability of the scheme.

This leads to the important point that different aspects of the quality of public space – social, design and 'rights' as I categorised in the literature review – are affected to different extents by a wide range of factors that influence the quality indicators. Not all aspects of public space, such as a 'sense of ownership' or the quality of design, will be influenced equally by the commercial restraints on providing public space to the same extent that the quality of materials might be, as this latter quality of public space is contingent upon financial investment whereas the other two are not. The community consultation process and EP's arts strategy have an important impact on the social and design qualities of public space as well as enhancing and empowering the 'right' of the community to have ownership over the development process of public space and the development in general. In this last respect however, as explained in the literature review, some critics question the effect of community consultation and see it as merely reproducing existing power relations that keep the community at a disadvantage. This does not seem the case, to some extent at least, with the HEG scheme where the community consultation process has played a very important part in the development of the public space and establishing its quality.

At the heart of these issues is the fundamental relationship between the public and private sector as explored in the two essential interpretations in the literature review. Whilst it is evident that the property market determines to a large extent what quality levels EP can achieve through the balance of cost and returns, EP, along with the planning system, are also able to impose upon the developer quality standards and conditions that they must reach if they are to be granted the right, in the form of planning consent or as being selected as EP's development partner, to develop the site. A balance is struck between the private commercial restraints on the development and the needs of the public sector in terms of sustainable development and producing a high quality public space environment. So, even though the public space is essentially privatised, the potential negative impacts of this are deflected through the conditions that are placed on the transfer of ownership. What is important to conclude is that EP help the balance in favour of quality public space through their ability to invest in sites, regulate the quality of public space through the organisation of the partnership and subsidise costs that would otherwise be born by the private developer. In saying this I am not implying that PPPs inherently produce higher quality public space than non-PPP private developments but, to finish where I started, that EP's PPPs are merely one particular route through which high quality public space can be delivered.

## **Appendix A – Questionnaires**

The questionnaires used for each interview differ to account for the different roles and interests of the interviewees. A questionnaire sheet was not used in the interview with Jones Lang Lasalle nor the telephone interview with First Base.

### **Interview Questionnaire with English Partnership - 12<sup>th</sup> August 2008**

#### **The regeneration scheme and surrounding context**

- What are the aims/objectives of the Greenwich Peninsula project as a whole and, who and what factors controls the setting of these aims?
- What is the role and significance of public space within the wider context of the Greenwich scheme?
- Who and what factors (e.g. sustainability, urban policy and planning framework) have influenced and driven the provision of public space?
- What area / site specific factors influence the aims and overall design of the project (e.g. development appraisal factors – uses, density, size, location, economic and market factors etc...) and how has this influenced the provision and type(s) (i.e. uses) of public space proposed?

#### **The Stakeholders**

- What are the individual aims and motives of English Partnerships (EP) and what are the main influences / sources for these aims?
- How do EP perceive the role and significance (value) of public space and how does it align EP's wider regeneration aims (i.e. what level of priority is given to public space against other objectives)?
- What role do EP have in the scheme and what mechanisms / procedures are available for EP to exercise control over the scheme, its quality and outputs?

#### **The process**

- At what stage in the regeneration scheme and through what mechanisms (e.g. S.106, Masterplan) and procedures (stakeholder consultation) is public space articulated and negotiated, and in what terms?
- What influence and levers do EP have over the negotiation, level and quality of public space?
- Has the desired level and quality of public space been agreed upon by the stakeholders in EP's consideration been met and have any commitments / targets been made towards this between the partners?
- What commercial factors have enabled the provision of public space to happen, or conversely restricted it? (e.g. funding)
- Who will have ultimate responsibility for public space once it is delivered and how will it be managed?
- What factors may influence and change the provision of public space over the project life time of Greenwich Peninsula/

#### **Partnership**

- How and at what stage(s) have the differing agendas and interests of stakeholders been negotiated, balanced and resolved in respect of the scheme at large and its public space content?
- What risks to the provision and quality of public space are there and how might these be overcome?

### **Interview with Quintain Estates and Developments Plc - 20 August 2008**

- What role does Quintain have?
- Why did the Joint Venture with Lend Lease form?
- What are your primary aims at the GP?
- How do you perceive Public realm?
- How have MDL in the masterplan balanced public space (no derived income) with the built environment?
- How is the development agreement structured?
- How is the public space funded?
- How significant a cost is public space?

- At what stage do you determine the types of materials to be used and what will influence your choice? Do you have any specified materials?
- Do any of the initiatives / targets such as life time homes, Level 4 code – have a knock on effect on the quality of public space?
- How are MDL's long term interest in the scheme maintained?
- Through what means do you work with the other partners?

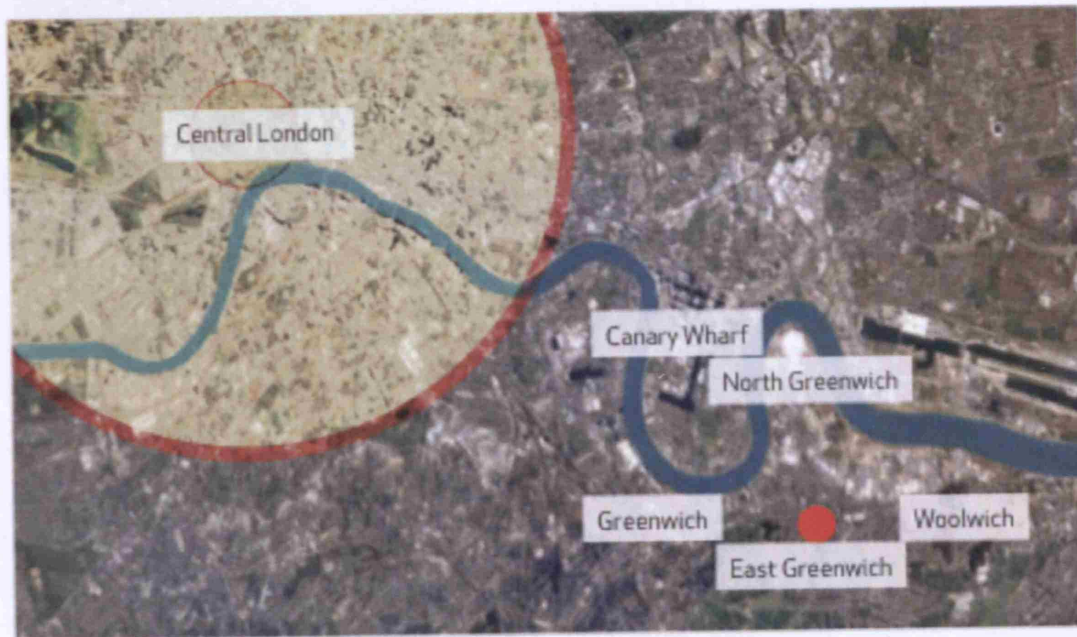
**Interview with Greenwich Waterfront Regeneration Agency (Greenwich Council) 19<sup>th</sup> August 2008**

- What role have Greenwich Council had with the Greenwich Peninsula and Heart of East Greenwich scheme?
- How do Greenwich Council perceive the role and significance (value) of public space and how does it align with the Council's wider regeneration aims?
- At what stage and how have the council become involved in Greenwich Peninsula and heart of East Greenwich?
- To what extent have Greenwich Council been able to secure their regeneration objectives in the two schemes?
- What factors have influenced the council's negotiations with the two schemes?
- How important has it been that both schemes are Public-Private-Partnerships for achieving the council's regeneration / community aims?
- Do you perceive any particular benefits of PPPs over private developments?
- How extensive have the consultation processes been?
- What impact can art make for regeneration?
- What tends to decide the quantum / amount of public space in a development?
- Have the developers exceed open / public space expectations and if so why?
- How do EPs quality standards compare against the quality standards of Greenwich Council?
- Are there any structural factors in the property market that influence the quality of public space?
- How do you decide if LBG adopt the public realm or developer maintain control? What impact can this have?
- In your opinion, in a housing down turn, is public realm more likely to suffer than the proportion of affordable housing suffer in (S 106) negotiations with developers?

## Appendix B – Heart of East Greenwich

### Site Description and Planning History

The Heart of East Greenwich development is located in the London Borough of Greenwich approximately one kilometre east of Greenwich town centre (see Map 3). It is a large single block of 3.08 hectares (7.61 acres) in size (First Base, 2008b). The surrounding area is predominantly residential (First Base, 2008c).



(Map 3: Heart of East Greenwich Location Map; Source: First Base, 2008a)

In 2006 EP commenced the selection process for its development partner. This culminated in October 2006 with a public exhibition put on by the shortlisted developers and the final selection of First Base in December 2006 (First Base, 2008d). A development agreement governing the development of the site was then agreed between EP and First Base. The main features of the Heart of East Greenwich mixed-use site include (First Base, 2008a/2008c):

- 645 Residential units proposed ranging from 1 bedroom flats to 4-bedroom houses
- a 11,091<sup>sqm</sup> Community Centre – 'The Greenwich Centre – incorporating Swimming pools; Gymnasium; Spa, Library; PCT facility; Council Drop In Service Centre; Crèche; Café space and Young Persons space
- Retails space
- Public Realm including a Public Square; Communal Gardens, a Market Street and 'Play' Street
- Carbon neutral
- 50% affordable housing as part of the London Wide Initiative

The Masterplan application received consent on the 28 August 2008



(Photo 7: Aerial view of the Heart of East Greenwich with the Greenwich Peninsula to the north;  
Source: First Base, 2008a)



## Appendix C –Greenwich Peninsula

### Site Description and Planning History

The Greenwich Peninsula site occupies an area of 300 acres. Until 1987 it was one of Europe's largest gas works operated by British Gas but at which point gas production ceased (EP, 2008; LBG, 2002). After over a century of industrial use, the site was heavily contaminated and required heavy investment in remediation works and infrastructure before it could be developed. In September 1988 Greenwich Council with the then landowners British Gas published a planning brief for consultation and launched a competition to select a development partner (LBG, 2002; LBG, 2003). In November 1988, British Urban Developments (BUD) were chosen as development partner and Port Greenwich Limited was set up as the development vehicle. Following negotiations with Greenwich Council between 1989 and 1992, an outline planning permission was granted in October 1992 subject to the views of the Secretary of State, conditions and legal agreements (LBG, 2003) for the site. The 1992 outline permission did not contain any designated public open space. A second major application was submitted by Port Greenwich Ltd in 1996 which included a 20 hectare leisure park (GLA, 2003). However, Port Greenwich Ltd's attempts to develop the site "failed because of the problems of remediation and the lack of infrastructure and the costs associated with that" (Parry, 2008)



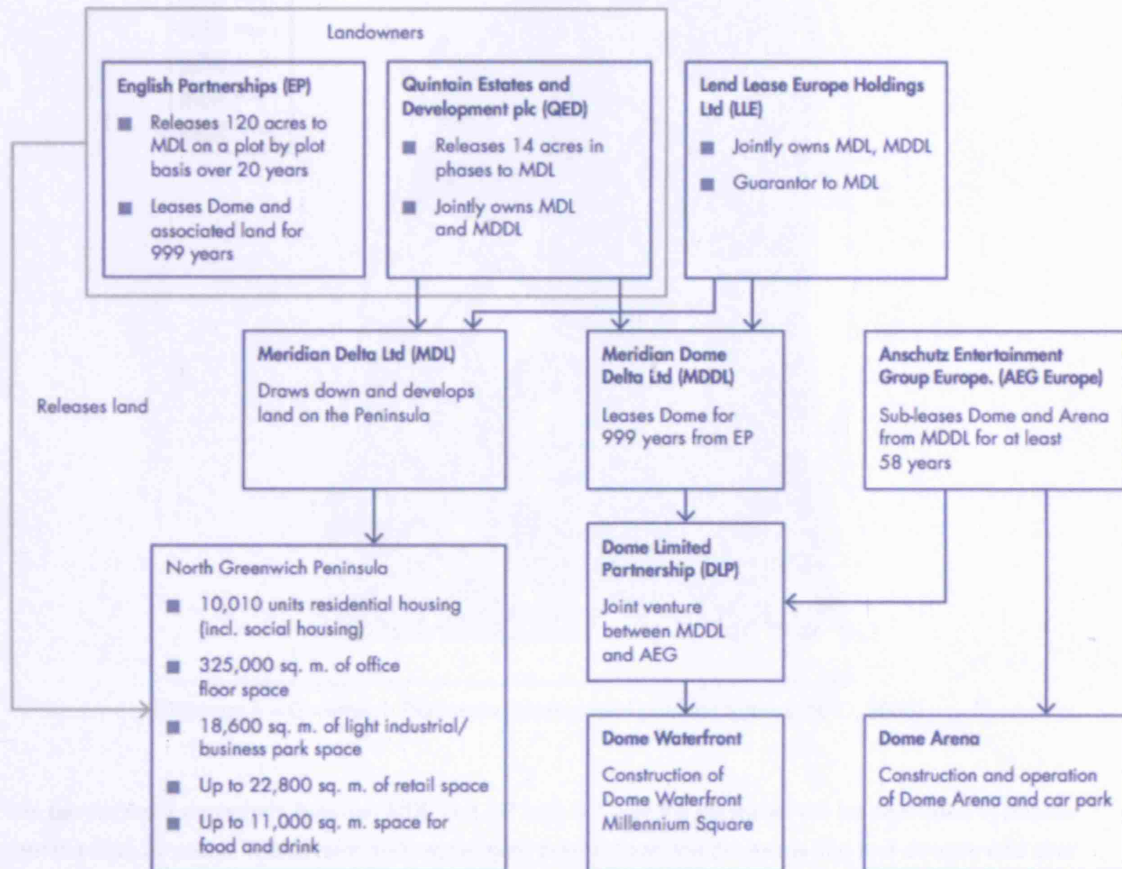
(Photo 8: Aerial view of Greenwich Peninsula from the north; Source: Greenwich Peninsula Chaplaincy, 2008)

In the early to mid 1990s, parallel to the Port Greenwich Ltd's proposals, LBG led a bid along with its partners the Greenwich Waterfront Development Partnership, London First and the London Planning Advisory Committee to host a Millennium Exhibition on the peninsula (LBG, 2002). LBG were successful in lobbying the Government to host the Millennium Exhibition at the peninsula. With the Government committed to the peninsula for the Millennium Experience, LBG were able to use this to secure public funding for the

regeneration of the whole peninsula through the involvement of EP who were tasked by government to deliver the required infrastructure and bring in a private sector development partner (GWRA, 2008).

As a result, English Partnerships purchased the 300 acre peninsula In 1997 and in 1998 developed a new Masterplan for the site with the architect Richard Rogers.

#### The Formation of the Greenwich Peninsula PPP

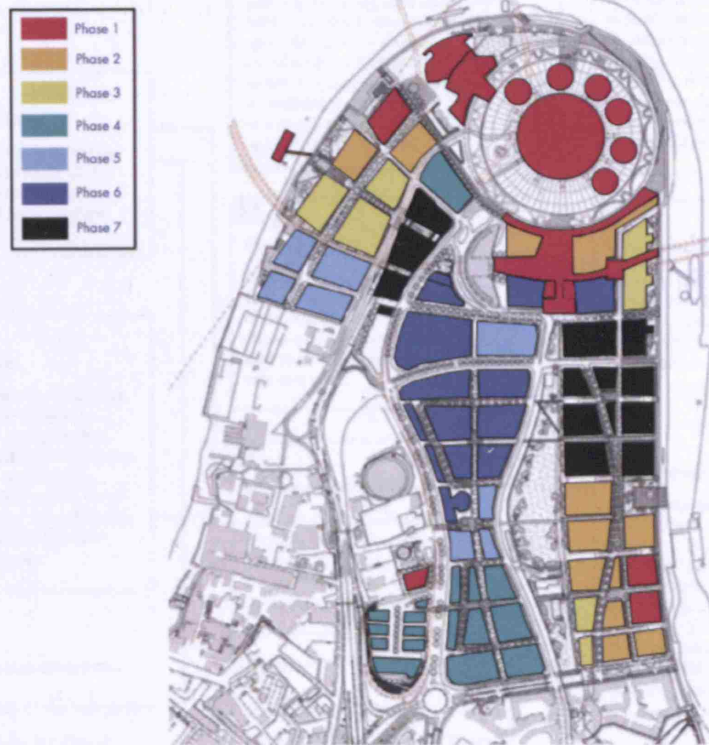


(Diagram 3: Structure of Meridian Delta Limited deal with English Partnerships; Source: NAO, 2008)

EP, as the Government's national regeneration agency, had the responsibility for finding a "sustainable long term use" for the Millennium Dome, as well as regenerating the Peninsula as a whole. This was started in 1999 by EP and has been well documented in two National Audit Office Reports (2005 & 2008). The outcome of the process was the selection of Meridian Delta Ltd (MDL) as preferred partner in December 2001. MDL is a joint venture between Quintain Estates and Development PLC (QED) and Lend Lease Europe. MDL formed out of QED's existing ownership of c. 30 acres of land on the Peninsula and the need to add Lend Lease's extra development and financial strengths to the project (QED, 2008). The MDL consortium also includes a partnership with Anschutz Entertainment Group (AEG) to finance, develop and manage the Millennium Dome, which has since been rebranded by AEG as the O2 Arena. The structure of the MDL deal with EP can be seen in diagram 3 above.



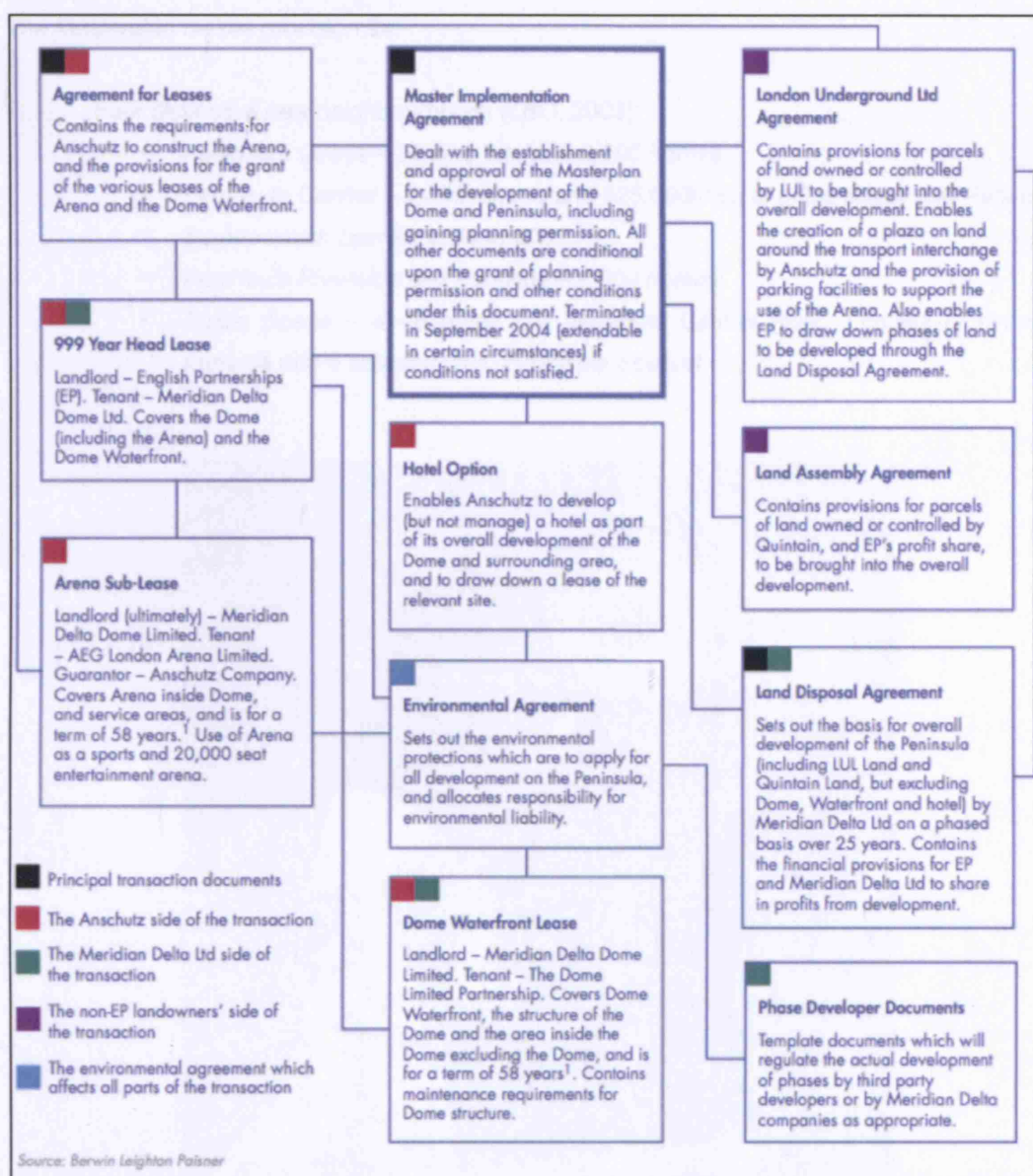
Following the selection of MDL as preferred partner in December 2001, MDL and EP agreed a deal to develop the site over a 20 year period and signed conditional contracts to this effect in May of 2002 which became unconditional in June 2004. The structure of the partnership between MDL and EP is very complex due to the nature and size of the project and contains within it a number of legal agreements.



Source: Meridian Delta Ltd Environmental Impact Statement accompanying the Greenwich Peninsula Planning Application December 2002  
 (Diagram 4 – Greenwich Peninsula development phases; Source: NAO, 2005)

The development agreement between MDL and EP sets out how the peninsula will be developed in phases over the next 20 years. The development agreement breaks down the peninsula into four districts and over fifty individual plots, as shown in diagram 4 and map 4 on page 45, and gives MDL the option to draw down land from EP to be developed once the site has obtained planning permission (QED, 2008). The plots will be developed through a mixture of direct development by MDL, joint ventures between MDL and a selected partners, or will be sold on by MDL to a third party developer to deliver independently. The Development agreement between MDL and EP is summarised in diagram 5 below.





(Diagram 5: EP Development Agreement Structure for Greenwich Peninsula; Source: NAO, 2005)

### The Greenwich Peninsula 2002 Masterplan

The Masterplan developed for peninsula between MDL and EP covers 190 acres of the 300acre peninsula. It was submitted to LBG for outline planning approval in 2002 and approved in February 2004

The Masterplan makes provision for:

Four distinctive new neighbourhoods (LBG, 2003):

- *Peninsula Quays* – 22 acre site with 3,000 homes
- *Peninsula Central* – 1,000 homes and 325,000m sq of office space and *Peninsula Square* which opened in June 2007
- *Peninsula Riverside and Parkside* – 6,000 homes
- *Public Space* – a 48 acres (19 hectares) *Central Park*, 1.6miles of riverside frontage and 6 squares (incl. *Peninsula Square*)



(Map 4: Map of the four Greenwich Peninsula Districts; Source: GPLR, 2008)

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